

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:

Mitsuko IDENO et al.

Application No.: 10/568,745

Confirmation No.: 6655

Filed: February 21, 2006

Art Unit: 1644

For: PROCESS FOR PRODUCING CYTOTOXIC
LYMPHOCYTES

Examiner: Z. SKELDING

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby submit an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the attached PTO/SB/08.

II. COPIES

☒ a. Copies of foreign patent documents, non-patent literature and other information.

☐ b. REFERENCES PREVIOUSLY CITED OR SUBMITTED: Copies of any information not provided can be found in one or more of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

III. CONCISE EXPLANATION OF THE RELEVANCE/OTHER INFORMATION

☒ a. NON-ENGLISH LANGUAGE DOCUMENTS: A concise explanation of the relevance of all non-English language patents, publications, or other information listed is as follows: An English-language Abstract is provided for WO-02/14481-A1. Additionally, an English-language translation of "Animal Cell Culture: A Practical Approach", edited by R.I. Freshney, Moscow, 1989, pp. 44, 53 and 77, is provided.

☐ b. ENGLISH LANGUAGE SEARCH REPORT OR FOREIGN PATENT OFFICE COMMUNICATION: An English language version of the search report or Foreign Patent Office communication that indicates the degree of relevance is attached.

☒ c. OTHER: The following additional information is provided. The references cited in the attached PTO/SB08 were cited during the prosecution of copending U.S. Application Nos. 10/486,512, 10/344,534, 10/509,055, 11/831,423 and 11/790,025. Animal Cell Culture, Freshney, Ed., 1986, IRL Press, Oxford, Washington DC, pp. 26-41, was previously provided with the Information Disclosure Statement submitted in the instant application on January 13, 2008. The January 13, 2008, citation specified that the reference included pages 27-40 instead of pages 26-41 as specified in the instant Information Disclosure Statement. The Animal Cell Culture reference is being resubmitted for the Examiner's convenience.

A Chinese Office Action, issued in Chinese Application No. 20040024172.7 dated January 15, 2010, was submitted with the Information Disclosure Statement filed on April 15, 2010 in the instant application, but was not cited on the SB08 form. This Chinese Office Action is cited on the present SB08 form for the Examiner's consideration and is resubmitted herewith for the Examiner's convenience.

U.S. Publication No. 2004/0115809 corresponds to PCT Publication No. WO-02/14481-A1.

IV. STATEMENT UNDER 37 C.F.R. § 1.97(e)

The undersigned hereby states that:

- ☐ a. Each item of information contained in the IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than 30 days prior to the filing of this IDS. This statement does not relate to English language counterparts not listed in a communication from the foreign patent office. Such English language counterparts are provided to aid the Examiner's consideration of non-English items first cited in the communication from the foreign patent office; or
- ☐ b. Each item of information contained in the IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. This statement does not relate to English language counterparts not listed in a communication from the foreign patent office. Such English language counterparts are provided to aid the Examiner's consideration of non-English items first cited in the communication from the foreign patent office; or
- ☐ c. No item of information contained in the IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- ☐ d. Some of the items of information in the IDS were cited in a communication from a foreign patent office. Such items were first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. This statement does not relate to English language counterparts not listed in a communication from the foreign patent office. Such English language counterparts are provided to aid the Examiner's consideration of non-English items first cited in the communication from the foreign patent office. As to the remaining items of information, to the knowledge of the person signing the certification after making reasonable inquiry, such remaining items were not known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

V. FEES

☐ a. This Information Disclosure Statement is being filed concurrently with the filing of a new patent application or Request for Continued Examination. No fee is required.

☐ b. This Information Disclosure Statement is being filed within three months of the filing date of an application. No fee is required.

☐ c. This Information Disclosure Statement is being filed before the mailing date of a first Action on the merits. No fee is required. If a first Office Action on the merits has issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) above. If no statement has been made, charge our deposit account for the required fee.

☒ d. This Information Disclosure Statement is being filed before the mailing date of a Final Office Action or before the mailing date of a Notice of Allowance (see 37 C.F.R. § 1.97(c)(1)).

☒ No statement. The fee as required by 37 C.F.R. § 1.17(p) is provided.

or

☐ See the above statement. No fee is required.

☐ e. This Information Disclosure Statement is being filed after the mailing date of a Final Office Action or after the mailing date of a Notice of Allowance (see 37 C.F.R. § 1.97(d)), see the statement above. The fee as required by 37 C.F.R. § 1.17(p) is provided.

VI. PAYMENT OF FEES

☒ The required fee is listed on the attached Fee Transmittal.

☐ No fee is required.

If the Examiner has any questions concerning this IDS, please contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the USPTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

Dated: JUN 7 2010

Respectfully submitted,

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Attachment(s):

- ☒ PTO/SB/08
- ☒ Document(s)
- ☒ Fee